



## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: April 26, 2007 Name: John Murray

Signature: John Murray

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& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Miles B. Brennan et al.

Appln. No.: 10/764,712

Filed: January 23, 2004

For: Method for Treatment of Insulin Resistance  
in Obesity and Diabetes

Attorney Docket No: 11320/33

Examiner: Jon E. Angell

Art Unit: 1635

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Response to Notice of Non-Compliant Amendment  
☒ Return Receipt Postcard

## Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

April 26, 2007John Murray  
John Murray (Reg. No. 44,251)

BRINKS HOFFER GILSON & LIONE  
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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on APRIL 26, 2007

Date of Deposit

John Murray

Name of applicant, assignee or  
Registered Representative

John Murray  
Signature

APRIL 26, 2007

Date of Signature

Case No. 11320/33

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Miles B. Brennan *et al.*

Serial No: 10/764,712

Examiner: Angell, Jon E.

Filed: January 23, 2004

Group Art Unit: 1635

For: Method for Treatment of Insulin  
Resistance in Obesity and Diabetes

## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment, dated April 18, 2007, Applicants hereby request entry of the following amendments and remarks to put the claims in condition to be allowed. This paper is believed to be timely filed.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks/ Arguments** begin on page 6 of this paper.